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CAT A

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00418-RDM-1**

Case title: USA v. BOCHENE

Date Filed: 06/21/2021

Magistrate judge case number: 1:21-mj-00397-ZMF

Assigned to: Judge Randolph D. Moss**Defendant (1)****ERIC BOCHENE**represented by **ERIC BOCHENE**
PRO SE

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TERMINATED: 05/20/2022
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Pending Counts

18 U.S.C. 1752(a)(1); TEMPORARY
RESIDENCE OF THE PRESIDENT;
Entering and Remaining in a Restricted
Building

(1)

18 U.S.C. 1752(a)(2); TEMPORARY
RESIDENCE OF THE PRESIDENT;
Disorderly and Disruptive Conduct in a
Restricted Building

(2)

40 U.S.C. 5104(e)(2)(D); VIOLENT
ENTRY AND DISORDERLY CONDUCT
ON CAPITOL GROUNDS; Violent Entry
and Disorderly Conduct in a Capitol
Building

(3)

40 U.S.C. 5104(e)(2)(G); VIOLENT
ENTRY AND DISORDERLY CONDUCT
ON CAPITOL GROUNDS; Parading,
Demonstrating, or Picketing in a Capitol
Building

(4)

Disposition

Highest Offense Level (Opening)

Misdemeanor

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

COMPLAINT in Violation of
18:1752(a)(1), 18:1752(a)(2), 40:5104(e)
(2)(D) and 40:5104(e)(2)(G)

Disposition**Plaintiff**

USA

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Date Filed	#	Docket Text
04/26/2021	1	SEALED COMPLAINT as to ERIC BOCHENE (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00397-ZMF] (Entered: 04/26/2021)
04/26/2021	3	MOTION to Seal Case by USA as to ERIC BOCHENE. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00397-ZMF] (Entered: 04/26/2021)
04/26/2021	4	ORDER granting 3 Motion to Seal Case as to ERIC BOCHENE (1). Signed by Magistrate Judge Robin M. Meriweather on 04/26/2021. (zstd) [1:21-mj-00397-ZMF] (Entered: 04/26/2021)
05/13/2021		Arrest of Defendant ERIC BOCHENE in New Hartford, New York. (kk) [1:21-mj-00397-ZMF] (Entered: 06/03/2021)
05/17/2021	5	MOTION to Unseal Case by USA as to ERIC BOCHENE. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00397-ZMF] (Entered: 05/17/2021)
05/21/2021	20	Rule 5(c)(3) Documents Received as to ERIC BOCHENE from US District Court Northern District of New York Case Number 5:21-MJ-273 (ATB) (bb) (Entered: 10/20/2021)
05/24/2021	6	ORDER Granting 5 MOTION to Unseal Case by USA as to ERIC BOCHENE (1). Signed by Magistrate Judge Robin M. Meriweather on 5/24/2021. (zpt) [1:21-mj-00397-ZMF] (Entered: 05/24/2021)
05/24/2021		Case unsealed as to ERIC BOCHENE (zstd) [1:21-mj-00397-ZMF] (Entered: 05/24/2021)
05/25/2021	9	Arrest Warrant, dated 4/26/2021, returned executed in the U.S. District Court for the District of Columbia on 5/25/2021 as to Defendant ERIC BOCHENE. (kk) [1:21-mj-00397-ZMF] (Entered: 06/03/2021)
05/25/2021		ORAL MOTION by Defendant ERIC BOCHENE to Appoint Counsel. (kk) [1:21-mj-00397-ZMF] (Entered: 06/11/2021)
05/25/2021		ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act from 5/25/2021 to 7/19/2021 as to Defendant ERIC BOCHENE. (kk) [1:21-mj-00397-ZMF] (Entered: 06/11/2021)
05/25/2021		Minute Entry for Initial Appearance as to ERIC BOCHENE held by video before Magistrate Judge Robin M. Meriweather on 5/25/2021 : The defendant agrees to appear by video. Oral Motion by Defendant to Appoint Counsel. The Court finds the defendant eligible for court-appointed counsel and appoints Assistant Federal Public Defender Michelle M. Peterson to represent ERIC BOCHENE. The Court advised the Government of its due process obligations under Rule 5(f). Preliminary Hearing set for 7/19/2021 at 1:00 PM by telephonic/VTC before Magistrate Judge G. Michael Harvey. The defendant agrees to waive the additional time to hold his preliminary hearing. Oral Motion by USA to Exclude Time Under the Speedy Trial Act from 5/25/2021 to 7/19/2021, heard and granted in the interest of justice. Bond Status of Defendant: Defendant placed on Personal Recognizance Bond. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frame: 1:22:09 - 1:40:20. Defense Attorney: Michelle Peterson; U.S. Attorney: Jacob Steiner for Anita Eve; Pretrial Officer: Da'Shanta' Valentine-Lewis.

		(kk) [1:21-mj-00397-ZMF] (Entered: 06/11/2021)
05/27/2021	10	ORDER Setting Conditions of Release : Defendant ERIC BOCHENE placed on Personal Recognizance Bond signed by Magistrate Judge Robin M. Meriweather, nunc pro tunc to 5/25/2021. (Attachment: # 1 Appearance Bond) (kk) [1:21-mj-00397-ZMF] (Entered: 06/11/2021)
06/14/2021	11	NOTICE OF ATTORNEY APPEARANCE: Lisa Peebles appearing for ERIC BOCHENE (Peebles, Lisa) [1:21-mj-00397-ZMF] (Entered: 06/14/2021)
06/21/2021	12	INFORMATION as to ERIC BOCHENE (1) count(s) 1, 2, 3, 4. (zltf) (Entered: 06/22/2021)
06/23/2021	14	NOTICE OF ATTORNEY APPEARANCE: John Gilsenan appearing for ERIC BOCHENE (Gilsenan, John) (Entered: 06/23/2021)
06/24/2021		NOTICE OF HEARING as to ERIC BOCHENE: Arraignment/Status Conference set for 7/1/2021, at 9:00 AM, by video, before Judge Randolph D. Moss. The Courtroom Deputy Clerk will circulate instructions for appearing remotely.(kt) (Entered: 06/24/2021)
07/01/2021		MINUTE ORDER as to ERIC BOCHENE: Pursuant to the Due Process Protections Act, it is hereby ORDERED that all government counsel shall review their disclosure obligations under <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1, and comply with those provisions. The failure to comply could result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, continuances, Bar discipline, or any other remedy that is just under the circumstances. Signed by Judge Randolph D. Moss on 7/1/2021. (lcrdm3) (Entered: 07/01/2021)
07/01/2021		Reset Hearings as to ERIC BOCHENE: Arraignment/Status Conference RESCHEDULED for 7/1/2021, at 2:30 PM, by video, before Judge Randolph D. Moss. (kt) (Entered: 07/01/2021)
07/01/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Arraignment/Status Conference as to ERIC BOCHENE held on 7/1/2021. Defendant consented to proceeding remotely by video. Defendant arraigned on Counts 1, 2, 3, and 4 of the Information. Plea of Not Guilty entered on ALL Counts. Due Process Protections Act Order read into the record by the Court. A further Status Conference is set for 8/25/2021, at 2:00 PM, by video, before Judge Randolph D. Moss. The parties shall use the same link for connecting remotely. Speedy Trial (XT) is tolled in the interest of justice from 7/1/2021 to 8/25/2021. Bond Status of Defendant: Defendant remains on PR; Court Reporter: Jeff Hook; Defense Attorney: John Gilsenan; U.S. Attorney: Anita Eve. (kt) Modified on 7/1/2021 to correct typo(kt). (Entered: 07/01/2021)
07/02/2021		MINUTE ORDER: At the time this case was unsealed the Court noted personally identifiable information in the materials and directed the Clerks Office to keep some of the materials sealed. The government then submitted a redacted statement of facts, but the redacted version does not bear the signature of the magistrate judge. It is hereby ORDERED that the Clerks Office file the redacted statement of facts on the public docket. The Court notes that the sealed unredacted statement of facts was signed, and that a signed, sealed Complaint can be found at 1 . Signed by Magistrate Judge Robin M. Meriweather on 7/2/2021. (ztl) (Entered: 07/02/2021)

07/15/2021		Terminate Deadlines and Hearings as to ERIC BOCHENE (1): Preliminary Hearing set for 7/19/2021 at 1:00 PM by telephonic/VTC before Magistrate Judge G. Michael Harvey is hereby VACATED. (zpt) (Entered: 07/15/2021)
08/25/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 8/25/2021. Oral motion by Defendant Eric Bochene to represent himself and terminate counsel; HEARD and HELD IN ABEYANCE. A further Status Conference is set for 8/31/2021, at 2:00 PM, by video, before Judge Randolph D. Moss. The parties shall use the same link for connecting remotely. Speedy Trial (XT) is tolled in the interest of justice from 8/25/2021 to 8/31/2021. Bond Status of Defendant: PR Bond; Court Reporter: Nancy Meyer; Defense Attorney: John Gilsenan; U.S. Attorney: Anita Eve. (kt) Modified on 8/30/2021 to include direction regarding using same link to connect (kt). (Entered: 08/25/2021)
08/30/2021	15	MOTION to Continue <i>Pre-Trial Conference</i> by ERIC BOCHENE. (Gilsenan, John) (Entered: 08/30/2021)
08/30/2021		MINUTE ORDER as to ERIC BOCHENE: Upon consideration of Defendant's motion to continue, Dkt. 15 , it is hereby ORDERED that the motion is GRANTED. It is further ordered that (1) the hearing scheduled for August 30, 2021, at 2:00 p.m., is hereby VACATED and RESCHEDULED for September 2, 2021, at 2:00 p.m., to occur by video teleconference; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from August 30, 2021 to September 2, 2021. Defense counsel represents that he is unable to attend tomorrow's hearing "[d]ue to a medical issue that arose over the weekend." Dkt. 15 at 1. In light of the unavailability of defense counsel, and particularly given that the upcoming hearing will focus on whether defense counsel shall continue to represent the Defendant in this matter, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial under 18 U.S.C. 3161(h) (7)(A). The parties are directed to use the video teleconference access information previously provided by the Courtroom Deputy Clerk. Signed by Judge Randolph D. Moss on 08/30/2021. (lcrdm3) (Entered: 08/30/2021)
09/02/2021		NOTICE OF ERROR re 15 Motion to Continue ; emailed to John_Gilsenan@fd.org, cc'd 8 associated attorneys -- The PDF file you docketed contained errors: 1. Incorrect format; In future, all documents must be in proper pleading format in accordance with Local Rules; DO NOT REFILE. (znmw,) (Entered: 09/02/2021)
09/02/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 9/2/2021. Defendant consents to appearing by video. Defendant's renewed oral motion to represent himself; HEARD and GRANTED, with Attorney John Gilsenan as standby counsel. A further Status Conference is set for 10/29/2021, at 2:00 PM, by video, before Judge Randolph D. Moss. The parties shall utilize the same link for connecting to the hearing. Speedy Trial (XT) is tolled in the interest of justice from 9/2/2021 to 10/29/2021. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook; Standby Counsel: John Gilsenan; U.S. Attorney: Anita Eve. (kt) (Entered: 09/02/2021)
09/08/2021	17	NOTICE of Intent/Fee Schedule by ERIC BOCHENE. "LET IT BE FILED" by Judge Randolph D. Moss on 9/8/2021 (zltp) (Entered: 09/10/2021)

09/08/2021	18	Cancellation of Powers of Attorney by ERIC BOCHENE. "LET IT BE FILED" by Judge Randolph D. Moss on 9/8/2021. (zltp) (Entered: 09/10/2021)
09/08/2021	19	MOTION to Dismiss Case by ERIC BOCHENE. "LET IT BE FILED" by Judge Randolph D. Moss on 9/8/2021 (zltp) (Entered: 09/10/2021)
09/10/2021		<p>MINUTE ORDER as to ERIC BOCHENE: Before the Court are Defendant's Notice of Fee Schedule, Dkt. 17 , Cancellation of Powers of Attorney, Dkt. 18 , and Motion to Dismiss, Dkt. 19 .</p> <p>As for the Notice of Fee Schedule, Dkt. 17 , the Court is unclear exactly what relief Defendant seeks. To the extent Defendant is seeking fees for the matters identified, it is hereby ORDERED that Defendant's request is DENIED. Among other things, Defendant has pointed to no action requiring payment that the Court or the government has asked him to take, and so the matter is not ripe. Furthermore, to the extent Defendant is seeking payment for appearing in Court, that argument lacks merit. Defendant stands charged with several crimes, and is currently released on personal recognizance bond, <i>see</i> Minute Entry (May 25, 2021). As part of his pretrial release, "[t]he defendant must appear in court as required." Dkt. 10 at 1.</p> <p>As for Defendant's Cancellation of Attorney, Dkt. 18 , the Court is again unclear what relief Defendant seeks. To the extent Defendant seeks to represent himself in this matter, the Court has already granted Defendant permission to do so, <i>see</i> Minute Entry (Sept. 2, 2021), and so it is hereby ORDERED that any such request is DENIED as moot. To the extent Defendant requests that the Court direct that all filings be sent to his address, it is hereby ORDERED that Defendant's request is GRANTED. It is accordingly ORDERED that the parties and the Deputy Clerk serve all filings in this matter upon Defendant at his address, as listed in Dkt. 18 . To the extent Defendant seeks any other relief, it is hereby ORDERED that any such request is DENIED.</p> <p>Finally, upon consideration of Defendant's Motion to Dismiss, Dkt. 19 , it is hereby ORDERED that the motion is DENIED. Defendant has identified no basis to dismiss the information, Dkt. 12 . Defendant appears to argue that a minute entry on the docket, which vacated a hearing before a magistrate judge in light of this case's assignment to the undersigned judge, violated Federal Rules of Evidence 602 and 802, Federal Rule of Civil Procedure 26, and 22 U.S.C. 7102. Dkt. 19 at 2. Nothing in that order violated his rights under the Due Process Clause or the rules and statutes identified by Defendant, nor does Defendant explain how any purported violation would entitle him to a dismissal of the information. Signed by Judge Randolph D. Moss on 09/10/2021. (lcrdm3) (Entered: 09/10/2021)</p>
10/13/2021		MINUTE ORDER as to ERIC BOCHENE: Due to a conflict in the Court's schedule, it is hereby ORDERED that the status conference set for October 29, 2021 is VACATED and RESCHEDULED for October 21, 2021, at 11:00 a.m., by video, before Judge Randolph D. Moss. The parties are directed to use the same link for connecting to the hearing. Signed by Judge Randolph D. Moss on 10/13/2021. (kt) (Entered: 10/13/2021)
10/21/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 10/21/2021. Defendant consented to appearing by video. A further Status Conference is set for 11/5/2021, at 9:00 AM, by telephone, before Judge Randolph D. Moss. The parties shall utilize the same link for connecting to the hearing. Speedy Trial (XT) is tolled in the interest of justice from 10/21/2021 to 11/5/2021. Bond Status of Defendant: Defendant remains on a PR Bond;

		Court Reporter: Jeff Hook; Defense Attorney: John Gilsenan (standby counsel); U.S. Attorney: Anita Eve. (kt) (Entered: 10/21/2021)
11/02/2021		MINUTE ORDER as to ERIC BOCHENE: Due to a conflict in the Court's schedule, it is hereby ORDERED that the video status conference set for November 5, 2021, at 9:00 a.m., is RESCHEDULED for 12:00 noon. The parties shall utilize the same link for connecting to the hearing. Signed by Judge Randolph D. Moss on 11/2/2021. (kt) (Entered: 11/02/2021)
11/05/2021	24	MOTION for Change of Venue by ERIC BOCHENE. "Let This Be Filed" by Judge Randolph D. Moss on 11/5/2021. (zhsj) (Entered: 11/05/2021)
11/05/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 11/5/2021. Defendant consents to appearing by video. Government's opposition to Defendant's 24 Motion for Change of Venue is due by 11/16/2021; Defendant's Reply is due by 12/3/2021. A further Status Conference/Motion Hearing is set for 12/3/2021, at 10:00 AM, by video, before Judge Randolph D. Moss. Speedy Trial not tolled in light of the pending motion. Bond Status of Defendant: PR Bond; Court Reporter: Lisa Moreira; Defense Attorney: John Gilsenan (standby counsel); U.S. Attorney: Anita Eve. (kt) (Entered: 11/05/2021)
11/12/2021	25	Memorandum in Opposition by USA as to ERIC BOCHENE re 24 MOTION to Change Venue (Eve, Anita) (Entered: 11/12/2021)
12/03/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 12/3/2021. Defendant consented to proceeding by video. By 12/10/2021 the Government shall file a notice as to Defendant's passport being returned to him, and his conditions of release being modified. The parties shall continue to confer about the protective order. A further Status Conference is set for 1/5/2022, at 10:30 AM, by video, before Judge Randolph D. Moss. The parties shall use the same link for connecting to the hearing. Speedy Trial (XT) is tolled in the interest of justice from 12/3/2021 to 1/5/2022. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook; Defense Attorney: John Gilsenan (standby counsel); U.S. Attorney: Anita Eve. (kt) (Entered: 12/03/2021)
12/10/2021	27	NOTICE by USA as to ERIC BOCHENE (Eve, Anita) (Entered: 12/10/2021)
12/10/2021	28	REPLY TO OPPOSITION to Motion by ERIC BOCHENE re 24 MOTION to Change Venue. "Let it be Filed" by Judge Randolph D. Moss on 12/10/2021. (zltp) (Entered: 12/13/2021)
12/11/2021		<p>MINUTE ORDER as to ERIC BOCHENE: Upon consideration of the government's notice, Dkt. 27 , it is hereby ORDERED that Defendant's passport shall be returned to him, subject to the following conditions and any others that are set by Pretrial Services. Defendant shall provide notice to and receive the approval of Pretrial Services for any travel outside the Northern District of New York for any purpose other than his employment. In the case of air travel outside the United States, Defendant shall obtain airline tickets with a return date, and shall provide Pretrial Services (prior to traveling) with documents pertaining to that travel, including images of airline tickets that indicate the dates of departure and return.</p> <p>Defendant is further advised that, as a further condition of release, Defendant shall not commit a federal, state, or local crime during the period of release. The commission of a federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than 10 years, if the offense is a felony; or a term of</p>

		imprisonment of not more than 1 year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence. Any violation of the conditions of release may result in revocation of bail and imprisonment pending trial. Signed by Judge Randolph D. Moss on 12/11/2021. (lcrdm3) (Entered: 12/11/2021)
01/05/2022		MINUTE ORDER as to ERIC BOCHENE: Pursuant to this Court's December 11, 2021, minute order, it is hereby ORDERED that Pretrial Services shall mail Defendant's passport by certified mail to Mr. Gilsenan, Defendant's stand-by counsel, at the address on record for Mr. Gilsenan. Signed by Judge Randolph D. Moss on 1/5/2022. (lcrdm3) (Entered: 01/05/2022)
01/05/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 1/5/2022. Defendant consented to appearing by video. The Government's opposed motion for protective order is due by close of business today; Defendant's response/opposition due by 1/14/2022; Government's reply due by 1/19/2022. The Court will enter an additional order to have pretrial services turn over Defendant's passport. A further Status Conference is set for 1/24/2022, at 2:00 PM, by video, before Judge Randolph D. Moss. The parties shall use the same link for connecting to the hearing. Speedy Trial (XT) is tolled in the interest of justice from 1/5/2022 to 1/24/2022. Bond Status of Defendant: Defendant remains on PR; Court Reporter: Jeff Hook; Defense Attorney: John Gilsenan (standby counsel); U.S. Attorney: Anita Eve. (kt) (Entered: 01/05/2022)
01/05/2022	30	MOTION for Protective Order by USA as to ERIC BOCHENE. (Attachments: # 1 Affidavit Attachment A to Motion, # 2 Attachments to Affidavit, # 3 Text of Proposed Order)(Eve, Anita) (Entered: 01/05/2022)
01/12/2022	31	MEMORANDUM OPINION AND ORDER as to ERIC BOCHENE: For the reasons given in the attached Memorandum Opinion and Order, Defendant's motion to transfer, Dkt. 24 , is DENIED. See document for details. Signed by Judge Randolph D. Moss on 1/12/2022. (lcrdm3) Modified on 1/13/2022 to change document type to "opinion" (kt). Modified on 1/24/2022 to add defdt's name at top of entry. (kt). (Entered: 01/12/2022)
01/12/2022		MINUTE ORDER as to ERIC BOCHENE: It is hereby ORDERED that Mr. Gilsenan, as stand-by counsel for the Defendant, shall promptly provide Defendant with a copy of this Court's Memorandum Opinion and Order, Dkt. 31 , via email. Signed by Judge Randolph D. Moss on 1/12/2022. (lcrdm3) (Entered: 01/12/2022)
01/24/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 1/24/2022. Defendant consented to proceeding by video. Oral motion by defendant for the Court to reinstate Mr. Gilsenan as defense counsel instead of standby counsel; HEARD and GRANTED. For the reasons stated on the record, the parties shall file a Joint Status Report on or before 2/7/2022 addressing next steps and speedy trial. Protective Order forthcoming. Speedy Trial (XT) is tolled from 1/24/2022 to 2/7/2022. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook; Defense Attorney: John Gilsenan; U.S. Attorney: Anita Eve. (kt) (Entered: 01/24/2022)
01/24/2022	33	PROTECTIVE ORDER as to ERIC BOCHENE: Upon consideration of the government's motion for protective order, Dkt. 30 , it is hereby ORDERED that the motion is GRANTED. The parties shall comply with the directives in the attached protective order. See document for details. Signed by Judge Randolph D. Moss on 1/24/2022. (lcrdm3) (Entered: 01/24/2022)

02/09/2022		MINUTE ORDER as to ERIC BOCHENE: At the last status conference in this matter, the Court ordered that the parties "file a Joint Status Report on or before 2/7/2022 addressing next steps and speedy trial." Minute Entry (Jan. 24, 2022). Given that the Court has yet to receive such a filing, it is hereby ORDERED that the parties shall file a status report in accordance with this Court's directives by 5 p.m. on February 9, 2022. Signed by Judge Randolph D. Moss on 2/9/2022. (lcrdm3) (Entered: 02/09/2022)
02/09/2022	34	Joint STATUS REPORT by ERIC BOCHENE (Gilsenan, John) (Entered: 02/09/2022)
02/09/2022	35	Amended STATUS REPORT by ERIC BOCHENE (Gilsenan, John) (Entered: 02/09/2022)
02/09/2022		MINUTE ORDER as to ERIC BOCHENE: Upon consideration of the amended joint status report, Dkt. 35 , it is hereby ORDERED that (1) the parties shall submit a further status report on or before March 25, 2022; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from February 9, 2022, to March 25, 2022. The parties represent that "[t]he government has disclosed new evidence that may--without further clarification or context--derail the current plea negotiations" and that they therefore "agree that the best course of action is to pause further plea negotiations until additional discovery can be produced to defense counsel." Dkt. 35 at 1. Because "the government intends to produce this additional discovery as soon as it comes into the government's possession," the parties "request to submit a follow-up Joint Status Report in approximately 45 days" and note that they believe "it is in the interest of justice to toll the Speedy Trial Act while the government continues to provide discovery and the parties discuss a potential pre-trial disposition of this matter." <i>Id.</i> at 1-2. In light of these representations, and in particular the need for the government to produce and the defense to review this new discovery before plea negotiations resume, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial under 18 U.S.C. 3161(h) (7)(A). Signed by Judge Randolph D. Moss on 02/09/2022. (lcrdm3) (Entered: 02/09/2022)
04/13/2022		MINUTE ORDER as to ERIC BOCHENE: The Court previously directed the parties to submit a joint status report on or before March 25, 2022, and tolled time under the Speedy Trial Act until that date. <i>See</i> Minute Order (Feb. 9, 2022). Given that the Court has yet to receive such a filing, it is hereby ORDERED that the parties shall file a status report in accordance with this Court's directives by 5 p.m. on April 13, 2022. Signed by Judge Randolph D. Moss on 04/13/2022. (lcrdm3) (Entered: 04/13/2022)
04/13/2022	36	Joint STATUS REPORT by USA as to ERIC BOCHENE (Eve, Anita) (Entered: 04/13/2022)
04/13/2022		MINUTE ORDER as to ERIC BOCHENE: Upon consideration of the joint status report, Dkt. 36 , it is hereby ORDERED that (1) the parties shall appear by video for a status conference on April 21, 2022, at 10:00 a.m.; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from April 13, 2022, to April 21, 2022. The parties represent that a proposed plea remains pending, but that the defense has "advised that [it] need[s] more time" to consider that offer due, in part, to a "breakdown in communications" between defense counsel and the Defendant. Dkt. 36 at 1. The parties, accordingly, jointly request a status conference on April 21, 2022, and state that "it is in the interest of justice to continue to toll the Speedy Trial Act." <i>Id.</i> at 2. In light of these representations, and in particular the need for the defense to have the opportunity to fully consider the pending plea, the Court finds that the ends

		of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial under 18 U.S.C. 3161(h)(7)(A). The Court notes that the parties have jointly "request[ed] an exclusion of time under the Speedy Trial Act from March 25, 2022 through the next scheduled status date." Dkt. 36 at 2. But, "[a]bsent exceptional circumstances, [a] district court should not enter an 'ends of justice' continuance after the period sought to be excluded begins to run," <i>United States v. Suarez-Perez</i> , 484 F.3d 537, 542 (8th Cir. 2007), and here the parties have made no effort to demonstrate such "exceptional circumstances." Unless and until the parties do so, the Court declines to retroactively toll time. The parties will receive Zoom log-in information for the video status conference from the Deputy Clerk of Court. Signed by Judge Randolph D. Moss on 04/13/2022. (lcrdm3) (Entered: 04/13/2022)
04/21/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 4/21/2022. Defendant consented to proceeding by video. Defendant permitted to travel to Washington D.C. to hand-deliver filings to the Clerk's Office. A further Status Conference and Faretta Hearing is set for 5/4/2022, at 3:00 PM, by video, before Judge Randolph D. Moss. Speedy Trial (XT) is tolled in the interest of justice from 4/21/2022 to 5/4/2022. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook; Defense Attorney: John Gilsenan; U.S. Attorney: Anita Eve. (kt) (Entered: 04/21/2022)
04/29/2022	37	MOTION to Withdraw as Attorney by John J. Gilsenan. by ERIC BOCHENE. (Gilsenan, John) (Entered: 04/29/2022)
05/04/2022		MINUTE ORDER as to ERIC BOCHENE: It is hereby ORDERED that (1) the video hearing scheduled in this matter for May 4, 2022, at 3:00 p.m., is VACATED and RESCHEDULED for May 11, 2022, at 3:30 p.m.; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from May 4, 2022, to May 11, 2022. Defendant has informed the Court that he is unable to attend today's hearing due to illness and has requested that the hearing be rescheduled for a later date. In light of Defendant's request and the need to ensure he is able to participate in the video hearing, which will address (among other things) his request to represent himself in this matter, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the Defendant in a speedy trial under 18 U.S.C. 3161(h)(7)(A). To access the video hearing, the parties are to use the same Zoom log-in information previously provided by the Deputy Clerk. Signed by Judge Randolph D. Moss on 05/04/2022. (lcrdm3) (Entered: 05/04/2022)
05/11/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Faretta Hearing/Status Conference as to ERIC BOCHENE held on 5/11/2022. A further Faretta Hearing/Status Conference is set for 5/20/2022, at 11:15 AM, by video, before Judge Randolph D. Moss. Speedy Trial (XT) is tolled in the interest of justice from 5/11/2022 to 5/20/2022. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook; Defense Attorney: John Gilsenan; U.S. Attorney: Anita Eve. (kt) (Entered: 05/11/2022)
05/20/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Faretta Hearing/Status Conference as to ERIC BOCHENE held on 5/20/2022. Defendant asserted his desire for self-representation. For the reasons stated on the record, Defendant is granted permission to represent himself. The 37 Motion to Withdraw as Attorney filed by John Gilsenan is GRANTED. The Court will appoint standby counsel for the duration of the case. As discussed on the record, any motions the Defendant wishes to file shall be filed before the next status conference. A further

		Status Conference is set for 7/21/2022, at 9:00 AM, by video, before Judge Randolph D. Moss. Speedy Trial (XT) is tolled in the interest of justice from 5/20/2022 to 7/21/2022. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook; Defense Attorney: John Gilsenan; U.S. Attorney: Anita Eve; Pretrial Officer: Christine Schuck. (kt) (Entered: 05/20/2022)
05/20/2022		Attorney update in case as to ERIC BOCHENE. Attorney John Gilsenan terminated. (kt) (Entered: 05/20/2022)
06/14/2022	39	NOTICE OF ATTORNEY APPEARANCE: Ubong E. Akpan appearing for ERIC BOCHENE <i>as Standby Counsel</i> (Akpan, Ubong) (Entered: 06/14/2022)
07/21/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 7/21/2022. Defendant consented to appearing by video. A further Status Conference is set for 8/11/2022, at 2:00 PM, by video, before Judge Randolph D. Moss. Speedy Trial (XT) is tolled in the interest of justice from 7/21/2022 to 8/11/2022. Bond Status of Defendant: PR Bond; Court Reporter: Lisa Bankins; Defense Attorney: Standby counsel Ubong Akpan; U.S. Attorney: Anita Eve. (kt) (Entered: 07/21/2022)
08/08/2022	42	LEAVE TO FILE DENIED- Court by Special Invitation as to ERIC BOCHENE This document is unavailable as the Court denied its filing. Signed by Judge Randolph D. Moss on 8/8/2022. (zltp) (Entered: 08/09/2022)
08/09/2022	41	ORDER as to ERIC BOCHENE: For the reasons stated in the accompanying order, Mr. Bochene is hereby reminded of his obligation fully to comply with the Federal Rules of Evidence and the Federal Rules of Criminal Procedure. Mr. Bochene acknowledged at his May 11, 2022 <i>Faretta</i> hearing that he would be bound by those rules, and he is hereby ORDERED to conform his future court filings with the procedures set forth in those rules and in the local rules of this Court. He is also ORDERED to refrain from filing or serving any tax documents or forms that purport to create or to impose any obligations, burdens, or duties on any Court personnel or counsel in this matter. See document for details. Signed by Judge Randolph D. Moss on 08/09/2022. (lcrdm3) (Entered: 08/09/2022)
08/11/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to ERIC BOCHENE held on 8/11/2022. Defendant consented to proceeding by video. Any motions are due by 10/28/2022; Opposition briefs are due by 12/2/2022; Any replies are due by 12/16/2022. A Motion Hearing is set for 1/3/2023, at 10:00 AM, by video, before Judge Randolph D. Moss. A jury trial date will be set at the motion hearing. Speedy Trial (XT) is tolled in the interest of justice from 8/11/2022 to 1/3/2023. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook; Defense Attorney: (Standby Counsel) Ubong Akpan; U.S. Attorney: Anita Eve. (kt) (Entered: 08/11/2022)
09/09/2022	43	MOTION to Dismiss Case by ERIC BOCHENE. "Let it be Filed" by Judge Randolph D. Moss on 9/9/2022.(zltp) (Entered: 09/09/2022)
12/08/2022		MINUTE ORDER as to ERIC BOCHENE: Due to a conflict in the Court's schedule, the motion hearing and status conference scheduled in this matter for January 3, 2023, at 10:00 a.m., is hereby VACATED and RESCHEDULED for December 21, 2022, at 10:00 a.m. Signed by Judge Randolph D. Moss on 12/8/2022. (lcrdm3) (Entered: 12/08/2022)

12/16/2022	44	RESPONSE by USA as to ERIC BOCHENE re 43 MOTION to Dismiss Case (Eve, Anita) (Entered: 12/16/2022)
12/21/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference/Motion Hearing as to ERIC BOCHENE held on 12/21/2022 re: 43 MOTION to Dismiss Case filed by ERIC BOCHENE. For the reasons stated on the record, Defendant's 43 Motion to Dismiss Case is denied. The Court orders that the Defendant be examined by a mental health expert to evaluate his competency to stand trial, and that the Government consult with the U.S. Attorney's Office of the Northern District of New York to identify an individual to conduct the exam; Government's Status Report due by 1/6/2023. Jury Selection/Jury Trial set for 3/30/2023, at 9:30 AM, before Judge Randolph D. Moss. Speedy Trial (XT) tolled in the interest of justice from 12/21/2022 to 3/30/2023. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook Defense Attorney: Ubong Akpan (standby counsel); U.S. Attorney: Anita Eve. (kt) (Entered: 12/21/2022)
01/07/2023	46	STATUS REPORT by USA as to ERIC BOCHENE (Eve, Anita) (Entered: 01/07/2023)
01/09/2023		MINUTE ORDER as to ERIC BOCHENE: Upon consideration of the government's status report, Dkt. 46 , it is hereby ORDERED that, if the Defendant would like to propose an alternative expert, he should do so on or before January 18, 2023. It is further ORDERED that, on or before January 18, 2023, the government shall file Dr. Mikesell's curriculum vitae with the Court. Signed by Judge Randolph D. Moss on 1/9/2023. (lcrdm3) (Entered: 01/09/2023)
01/18/2023	47	NOTICE of Mental Health Professional by USA as to ERIC BOCHENE (Eve, Anita) (Main Document 47 replaced on 2/15/2023) (zltp). (Additional attachment(s) added on 2/15/2023: # 1 Notice of Mental Health Professional) (zltp). (Entered: 01/18/2023)
01/20/2023	48	ORDER as to ERIC BOCHENE: For the reasons stated herein, it is hereby ORDERED that, pursuant to 18 U.S.C. 4241(b), Mr. Bochene shall be evaluated by Dr. Mikesell, a licensed and board certified psychologist, for the purpose of a forensic screening of his competency to represent himself and his competency to stand trial. It is further ORDERED that (1) government counsel shall notify Dr. Mikesell of this order, and that Dr. Mikesell shall coordinate with Mr. Bochene to set a location and date on or before February 3, 2023 for the examination to occur; (2) after such examination, a report as described herein shall be made to the parties and shall be filed by the government with this Court under seal on or before February 15, 2023; and (3) the parties shall reserve the afternoon of February 24, 2023 for a hearing on Mr. Bochene's competence, if the Court determines that such a hearing is warranted. Signed by Judge Randolph D. Moss on 1/20/2023. (lcrdm3) (Entered: 01/20/2023)
02/06/2023		MINUTE ORDER as to ERIC BOCHENE: Dr. Mikesell, who has been appointed by the Court to evaluate Mr. Bochene's competency, Dkt. 48 , has indicated to the Court that he has been unable to reach Mr. Bochene to schedule the ordered competency evaluation. In light of that representation, it is hereby ORDERED that Mr. Bochene shall contact Dr. Mikesell on or before February 10, 2023 to schedule the evaluation. Mr. Bochene is advised, moreover, that failure to comply with the Court's order may be punishable by contempt or other appropriate action. It is further ORDERED that Mr. Bochene's standby counsel shall, as soon as possible, provide Mr. Bochene with a copy of this order and with the necessary contact information for Dr. Mikesell. Signed by Judge Randolph D. Moss on 2/6/2023. (lcrdm3) (Entered: 02/06/2023)

02/09/2023	49	<p>TRANSCRIPT OF VIDEO STATUS CONFERENCE/MOTION HEARING in case as to ERIC BOCHENE before Judge Randolph D. Moss held on December 21, 2022. Page Numbers: 1 - 38. Date of Issuance: February 9, 2023. Court Reporter: Jeff Hook. Telephone number: 202-354-3373. Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 3/2/2023. Redacted Transcript Deadline set for 3/12/2023. Release of Transcript Restriction set for 5/10/2023.(Hook, Jeff) (Entered: 02/09/2023)</p>
02/13/2023		<p>MINUTE ORDER as to ERIC BOCHENE: Dr. Mikesell, who has been appointed by the Court to evaluate Mr. Bochene's competency, Dkt. 48 , has indicated to the Court that he has not heard from Mr. Bochene, notwithstanding the Court's order that Mr. Bochene shall contact Dr. Mikesell on or before February 10, 2023, <i>see</i> Min. Order (Feb. 6, 2023). The parties are, accordingly, ORDERED to appear for a video status conference in this matter on February 15, 2023, at 4:00 p.m., via Zoom. It is further ORDERED that Mr. Bochene's standby counsel shall, as soon as possible, provide Mr. Bochene with a copy of this order. Signed by Judge Randolph D. Moss on 2/13/2023. (lcrdm3) (Entered: 02/13/2023)</p>
02/15/2023		<p>Minute Entry for proceedings held before Judge Randolph D. Moss via Zoom:Status Conference as to ERIC BOCHENE held on 2/15/2023. For the reasons stated on the record the Defendant is ORDERED to schedule an appointment with Dr. Mikesell on or before 2/22/2023. Competency Hearing is reset from 2/24/23 to 3/22/2023 at 10:00 AM in Courtroom 8 before Judge Randolph D. Moss. Government to file a Motion to Amend the case caption to include also know as Eric Bochenek on or before 2/17/2023. The Defendant shall file any Response on or before 2/24/2023. Jury Trial is reset from 3/30/23 to 8/7/23 in Courtroom 8 before Judge Randolph D. Moss. Speedy Trial (XT) is tolled in the interest of justice from 3/30/23 to 8/7/23. Bond Status of Defendant: Continue PR; Court Reporter: Jeff Hook; Defense Attorney: Eric Bochene with Standby Counsel Ubong Akpan; US Attorney: Anita Eve. (zglw) (Entered: 02/15/2023)</p>
02/16/2023	50	<p>MOTION to Amend/Correct 12 Information by USA as to ERIC BOCHENE. (Eve, Anita) (Entered: 02/16/2023)</p>
03/17/2023		<p>MINUTE ORDER as to ERIC BOCHENE: The government shall, on or before March 20, 2023, file with the Court a status report that addresses the following: (1) whether Mr. Bochene's evaluation with Dr. Mikesell has been completed and whether Dr. Mikesell has had sufficient time thereafter to prepare his report; (2) whether the parties are prepared to move forward with the in-person competency hearing presently scheduled in this matter for March 22, 2023, at 10:00 a.m.; and (3) if so, whether Dr. Mikesell will be appearing in-person or by video. Signed by Judge Randolph D. Moss</p>

		on 3/17/2023. (lcrdm3) (Entered: 03/17/2023)
03/20/2023	51	RESPONSE TO ORDER OF THE COURT by USA as to ERIC BOCHENE re Order,,, Set Deadlines,, (Eve, Anita) (Entered: 03/20/2023)
03/21/2023		MINUTE ORDER as to ERIC BOCHENE: Upon consideration of the government's status report, Dkt. 51 , it is hereby ORDERED that (1) a report as described in the Court's January 20, 2023 order, Dkt. 48 , shall be made by Dr. Mikesell to the parties and shall be filed by the government with this Court under seal on or before April 5, 2023; (2) the competency hearing presently scheduled in this matter for March 22, 2023, at 10:00 a.m. is hereby VACATED and RESCHEDULED for April 13, 2023, at 2:00 p.m., in Courtroom 8; and (3) the parties are hereby ORDERED to appear for a video status conference in this matter on April 3, 2023, at 2:30 p.m., via Zoom. Signed by Judge Randolph D. Moss on 3/21/2023. (lcrdm3) (Entered: 03/21/2023)
04/03/2023		Minute Entry for proceedings held before Judge Randolph D. Moss:Status Conference as to ERIC BOCHENE held on 4/3/2023 via Zoom. Competency Hearing set for 4/19/2023 at 09:00 AM in Courtroom 8- In Person before Judge Randolph D. Moss. Bond Status of Defendant: Continued PR; Court Reporter: Jeff Hook; Defense Attorney: Ubong Akpan (Stand-by); US Attorney: Anita Eve. (zglw) (Entered: 04/03/2023)
04/06/2023		Terminate Deadlines and Hearings as to ERIC BOCHENE (zglw) (Entered: 04/06/2023)
04/17/2023	54	NOTICE OF ATTORNEY APPEARANCE Karen E. Rochlin appearing for USA. (Rochlin, Karen) (Entered: 04/17/2023)
04/24/2023	57	MOTION to Stay by ERIC BOCHENE. "Leave to file GRANTED" by Judge Randolph D. Moss on 4/24/2023. (zltp) (Entered: 05/02/2023)
05/01/2023	56	RESPONSE by USA as to ERIC BOCHENE (Eve, Anita) (Entered: 05/01/2023)
05/02/2023		MINUTE ORDER as to ERIC BOCHENE: Mr. Bochene has requested a stay of this case, but has not indicated how long a stay is required and has not provided any support for an indefinite stay. Accordingly, it is hereby ORDERED that Mr. Bochene shall file, on or before May 21, 2023, a supplemental notice indicating whether he will be ready to proceed with the trial scheduled to begin on August 7, 2023. If he is not prepared to proceed on that date, Mr. Bochene should provide the Court with detailed information relating to his condition, why he will be unable to proceed to trial on that date, and when he will be ready to proceed to trial. Signed by Judge Randolph D. Moss on 5/2/2023. (lcrdm3) (Entered: 05/02/2023)
06/09/2023		MINUTE ORDER as to ERIC BOCHENE: Upon consideration of the status report submitted by pretrial services, Dkt. 58 , it is hereby ORDERED that Mr. Bochene's conditions of release are hereby MODIFIED as described in the report. Defendant shall report every contact with law enforcement, including arrests, questioning, or traffic stops to pretrial services or supervising officer. Signed by Judge Randolph D. Moss on 6/9/2023. (lcrdm3) (Entered: 06/09/2023)
07/04/2023		MINUTE ORDER as to ERIC BOCHENE: It is hereby ORDERED that the parties shall appear for a pretrial conference in this matter on July 18, 2023, at 2:00 p.m., in Courtroom 8. Mr. Bochene shall inform the Court on or before July 10, 2023 if he would like this hearing to proceed via Zoom; if he does not do so, the hearing will be held in person in Courtroom 8. It is further ORDERED that the parties shall submit

		proposed voir dire, proposed preliminary and final jury instructions, and a joint neutral statement of the case on or before July 14, 2023. Signed by Judge Randolph D. Moss on 7/4/2023. (lcrdm3) (Entered: 07/04/2023)
07/07/2023		NOTICE OF HEARING as to ERIC BOCHENE Pretrial Conference set for 7/18/2023 at 02:30 PM in Courtroom 8- In Person before Judge Randolph D. Moss. (zglw) (Entered: 07/07/2023)
07/11/2023	59	NOTICE OF ATTORNEY APPEARANCE Michael John Romano appearing for USA. (Romano, Michael) (Entered: 07/11/2023)
07/14/2023	60	RESPONSE TO ORDER OF THE COURT by USA as to ERIC BOCHENE re Order,, Set Deadlines/Hearings,, (Eve, Anita) (Entered: 07/14/2023)
07/17/2023	61	ORDER as to ERIC BOCHENE: The parties are hereby ORDERED to review the preliminary jury instructions and voir dire provided herein, and to be prepared with any objections at tomorrow's <u>in person</u> pretrial conference. It is further ORDERED that Ms. Akpan shall forward these materials to Mr. Bochene as soon as possible. See documents for details. Signed by Judge Randolph D. Moss on 7/17/2023. (Attachments: # 1 Appendix, # 2 Appendix) (lcrdm2) (Entered: 07/17/2023)
07/17/2023	62	MOTION in Limine (<i>Omnibus</i>) by USA as to ERIC BOCHENE. (Romano, Michael) (Entered: 07/17/2023)
07/18/2023		Minute Entry for proceedings held before Judge Randolph D. Moss: Status Conference as to ERIC BOCHENE held on 7/18/2023. Matter set for Pretrial Conference. Defendant failed to appear. Arrest warrant issued. Governments oral motion to vacate the 8/7/23 trial date is GRANTED for the reasons stated on the record. The Court makes the finding that it is in the interest of justice that the time between 7/18/23 and until the defendant either appears voluntarily or he is arrested and brought to this jurisdiction shall be excluded from the Speedy Trial Act Calculations (XT). Court Reporter: Tammi Sefranek; Defense Attorney: Ubong Akpan; US Attorney: Anita Eve & Michael Romano. (zglw) (Entered: 07/18/2023)
07/24/2023	63	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to ERIC BOCHENE (Rochlin, Karen) (Entered: 07/24/2023)

11269019

UNITED STATES DISTRICT COURT

U.S. MARSHAL - DC PM4:33
RECEIVED JUL 18 '23for the
District of Columbia

United States of America

v.

ERIC BOCHENE

Case No. 21-CR-418

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) ERIC BOCHENE,

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☒ Order of the Court

This offense is briefly described as follows:

Defendant failed to appear to court hearing on 7/18/23 before Judge Randolph D. Moss.

G. Walker Digitally signed by G. Walker
Date: 2023.07.18 15:40:43
-04'00'

Date: 07/18/2023*Issuing officer's signature*City and state: District of ColumbiaG. Walker, Deputy Clerk*Printed name and title*

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

*Arresting officer's signature**Printed name and title*

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.
	:	
v.	:	MAGISTRATE NO. 21-MJ-397
	:	
ERIC J. BOCHENE,	:	VIOLATIONS:
	:	
Defendant.	:	18 U.S.C. § 1752(a)(1)
	:	(Entering and Remaining in a Restricted
	:	Building)
	:	18 U.S.C. § 1752(a)(2)
	:	(Disorderly and Disruptive Conduct in a
	:	Restricted Building)
	:	40 U.S.C. § 5104(e)(2)(D)
	:	(Violent Entry and Disorderly Conduct
	:	and Parading, Demonstrating, or Picketing
	:	in a Capitol Building)
	:	40 U.S.C. § 5104(e)(2)(G)
	:	(Parading, Demonstrating, or Picketing in
	:	a Capitol Building)

INFORMATION

The United States Attorney charges that at all relevant times:

COUNT ONE

On or about January 6, 2021, within the District of Columbia, **ERIC J. BOCHENE**, knowingly entered and remained in the United States Capitol, a restricted building, without lawful authority to do so.

(Entering and Remaining in a Restricted Building, in violation of Title 18, United States Code, Section 1752(a)(1))

COUNT TWO

On or about January 6, 2021, within the District of Columbia, **ERIC J. BOCHENE**, knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engaged in disorderly and disruptive conduct in, and within such proximity to the United States Capitol, a restricted building, when, and so that, such conduct did

in fact impede and disrupt the orderly conduct of Government business and official functions.

(Disorderly and Disruptive Conduct in a Restricted Building, in violation of Title 18, United States Code, Section 1752(a)(2))

COUNT THREE

On or about January 6, 2021, within the District of Columbia, **ERIC J. BOCHENE**, willfully and knowingly engaged in disorderly and disruptive conduct in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress or either House of Congress.

(Violent Entry and Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, Section 5104 (e)(2)(D))

COUNT FOUR

On or about January 6, 2021, within the District of Columbia, **ERIC J. BOCHENE**, willfully and knowingly paraded, demonstrated, and picketed in a Capitol Building.

(Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104 (e)(2)(G))

Respectfully submitted,

Channing D. Phillips
Acting U.S. Attorney
D.C. Bar No. 415793

By: /s/ Anita Eve
ANITA EVE
Assistant United States Attorney (Detailee)
Pennsylvania Bar No. 45519
United States Attorney's Office
District of Columbia
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